/IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION No. 5090 of 2005

Between:

Nemala Sanni Babu, S/o Late Sanyasi,
R/o 5-8-47, Tunglam Village and Post,

Gajuwaka Mandal, Visakhapatnam District.

..... PETITIONER

AND

1 The Joint Collector, Visakhapatnam District,

Visakhapatnam.
2 The Revenue Divisional Officer, Visakhapatnam,

Visakhapatnam District.
3 The Mandal Revenue Officer, Gajuwaka Mandal,

Visakhapatnam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ Order or Direction more particularly one in the nature of Writ of Mandamus to declare the action of the respondents in attempting to allot the land situated in Sy.No. 51 and 52 of Tunglam Village, Gajuwaka Mandal, Visakhapatnam to Chukkavanipalem villagers which was already allotted to the land losers of Tunglam Village as illegal, arbitrary, unconstitutional and violative of Article 14, 19 and 21 of the Constitution of India and consequently direct the respondents to forthwith take appropriate action in pursuance of the representation submitted by the petitioner and others on 1-11-2004.

Counsel for the Petitioner: MR.VOOSA.RAGHU

Counsel for the Respondent Nos.1 to 3: GP FOR REVENUE

The Court at the stage of admission made the following:

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ORDER:

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This writ petition is filed being aggrieved by the inaction of the respondents in considering the representation dated 01.11.2004 submitted by the petitioner.

It is submitted that the Government had acquired the land of the petitioner and others for development of Auto Nagar of Gajuwaka Municipality, Visakhapatnam and also proposed to allot alternative land to the land loosers and also issued pattas to some of the land loosers in S.No.51 and 52, but the petitioner and some others were not issued pattas. It is further submitted that the petitioner and others made representation to the 1st respondent on 01.11.2004 in this regard, but no orders have been passed thereon. Hence the petitioner is constrained to approach this Court by filing this writ petition.

Heard the learned counsel appearing for the petitioner and the learned Government Pleader for Revenue.

Having regard to the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition, with a direction to the 1st respondent to consider the representation of the petitioner dated 01.11.2004 and pass appropriate orders thereon, in accordance with law, within a period of 8 (eight) weeks from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of. No order as to costs.

Dated: 17.06.2005

Dsr

ASSISTANT REGISTRAR

To:

1. The Joint Collector, Visakhapatnam,

District, Visakhapatnam

2. The Revenue Divisional Officer,

Visakhapatnam, Visakhapatnam District

3. The Mandal Revenue Officer,

Gajuwaka Mandal, Visakhapatnam District

4. Two CCs to the Government Pleader

for Revenue, High Court Buildings,

Hyderabad (OUT)

5. Two CD copies

*Form-NIC-OGS/WP{**AVLR**}*